

Appl. No. 09/941,313

Attorney Docket No. 10541-451

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II. Remarks

Reconsideration and re-examination of this application in view of the following remarks is herein respectfully requested.

After entering this amendment, claims 1-10 remain pending.

Further Claim Clarifications

Prior to discussing the references, it is believed that a brief discussion on the current form of the independent claim of this application is warranted. The original independent claim of this application has been amended to clarify, more particularly to point out and distinctly claim that which applicant regards as the subject matter of the present invention. Specifically, the claim now recites that the transmitter is separate from the light source.

Claim Rejections - 35 U.S.C. §103(a)

Claims 1-10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,313,208 to Kavenik ("Kavenik") in view of U.S. Patent No. 6,426,599 to Leeb ("Leeb").

The examiner states that Kavenik discloses an audio entertainment and information system for the cabin of a commercial passenger aircraft having several lamps each connected to the aircrafts AC power source for the purpose of illuminating the cabins interior. Furthermore, the examiner states that there exists an audio source which provides audio signals to a transmitter. This transmitter is adapted to receive these signals and to transmit them throughout the passenger

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- 4 -

Appl. No. 09/941,313

Attorney Docket No. 10541-451

cabin by feeding the signals to an appropriate antenna system. Headsets capable of receiving signals from the antenna system are provided to the passengers.,.

The examiner states that Kavenik does not expressly disclose the placement of transmitters in the lamps that are connectible to the audio source and adapted to receive information, either analog or digital, from the audio source and to transmit signals containing the information. The examiner states that Leeb discloses a dual use electronic transceiver for wireless data networks whereby information is transmitted by modulating the AC input to a lamp. By so doing, the lamp will transmit information capable of being detected by a receiver. Although the AC input to the lamp is modulated, the modulation is such that the lamp is capable of transmitting information detected by the receiver while being imperceivable by the human eye. Additionally, the examiner states that Leeb discloses that audio information, either analog or digital, may be sent to the transceiver from sources such as tape recorders, microphones and stereos which may then be transmitted to the detector by modulating the AC input wave form to the lamp. The examiner reasons that the filament of the lamp constitutes the transmitter and the transparent part of the lamp constitutes a lens as claimed in the present invention. Following this line of reasoning, the filament of the lamp acts as both a light source and a transmitter.

Claim 1 has been amended to recite that the transmitter is separate from the light source. This differs from Leeb, because the light source of Leeb is adapted to illuminate as well as transmit signals. Amended claim 1 specifically recites that the transmitter and the light source are two separate elements.

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- 5 -

SEP 13 2006

Appl. No. 09/941,313

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In that the references fail to disclose or suggest features which were previously noted as being absent, it must be concluded that the combination of the references cannot render the claims of the present application as obvious.

With respect to claims 2-10, these claims are dependent on claim 1 and are patentable for at least the same reasons given above in support of claim 1. Accordingly, allowance of these claims are respectfully requested.

Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is requested.

Respectfully submitted,

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Date


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- 6 -